

#3

Declaration & Power of Attorney for Patent Application

Docket No. HMD2000-1-CIPB

As the Inventor named below, I, Mark Alan Sturza,
hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original and joint Inventor, along with Thomas Nello Giaccherini and James Riley Stuart, for the subject matter which is claimed and for which a Patent is sought on the Invention entitled:

**Method for Utilizing
Excess Communications Capacity**

the Specification of which was filed on 10 April 2001, and which was assigned U.S. Serial Number 09/833,094.

I hereby state that I have reviewed and understand the contents of the above identified Specification, including the Claims, as amended by any Amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined by Title 37 Code of Federal Regulations, Section 1.56, as amended. I further acknowledge the duty imposed by 37 CFR Section 1.63(d) to disclose to the Patent Office all information known by me which is material to patentability as defined by 37 CFR Section 1.56, as amended, which became available between the filing date of my Continuation-in-Part Application.

Declaration & Power of Attorney for Patent Application

2

Docket No. HMD2000-1-CIPB

CLAIMS FOR PRIORITY

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, of Federal Regulations Code, Section 1.56 which occurred between the filing date of the prior Application and the National or PCT International filing date of this Application:

Application Serial No.	Filing Date	Status
09/579,324	25 May 2000	Pending
09/688,997	16 October 2000	Pending

Declaration and Power of Attorney for Patent Application

3

Docket No. HMD2000-1-CIPB

POWER OF ATTORNEY: As the named Inventor, I hereby appoint the following Attorneys to prosecute this Application and to transact all business in the Patent and Trademark Office connected therewith.

Thomas N. Giaccherini, Registration No. 31,075

Allen H. Sochel, Registration No. 32,494

SEND CORRESPONDENCE TO:

Thomas N. Giaccherini

Anglin & Giaccherini

Post Office Box 1146

Carmel Valley, California 93924

DIRECT TELEPHONE CALLS TO:

Thomas N. Giaccherini

831.659.5300

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any Patent issuing thereon.

Full Name of Inventor: Mark Alan Sturza

Inventor's Signature: Mark Alan Sturza Date: 11/26/01

Residence: 16161 Ventura Boulevard, Suite 815, Encino, California 91436

Post Office Address: Same

Citizenship: United States

11/19/01 10:57 831 659 7301

A&G CARMEL →→→ JSTUART

002/006

Declaration & Power of Attorney for Patent Application
Docket No. HMD2000-0001B

1

As the Inventor named below, I, James Riley Stuart,
hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original and joint Inventor, along with Mark Alan Sturza and Thomas Nello
Giaccherini, for the subject matter which is claimed and for which a Patent is sought on the
Invention entitled:

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09/579,324 09/688,997

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DEC 11 2001

UFFICIO ITALIANO BREVETTI E MARCHI

As the Inventor named below, I, ~~Thomas Nello~~ **Thomas Nello Giaccherini**,
hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original and joint Inventor, along with Mark Alan Sturza and James Riley Stuart, for the subject matter which is claimed and for which a Patent is sought on the Invention entitled:

1992-1993 1994-1995 1996-1997 1998-1999 2000-2001 2002-2003 2004-2005 2006-2007 2008-2009 2010-2011 2012-2013 2014-2015 2016-2017 2018-2019 2020-2021 2022-2023 2024-2025 2026-2027 2028-2029 2030-2031 2032-2033 2034-2035 2036-2037 2038-2039 2040-2041 2042-2043 2044-2045 2046-2047 2048-2049 2050-2051 2052-2053 2054-2055 2056-2057 2058-2059 2060-2061 2062-2063 2064-2065 2066-2067 2068-2069 2070-2071 2072-2073 2074-2075 2076-2077 2078-2079 2080-2081 2082-2083 2084-2085 2086-2087 2088-2089 2090-2091 2092-2093 2094-2095 2096-2097 2098-2099 2100-2101 2102-2103 2104-2105 2106-2107 2108-2109 2110-2111 2112-2113 2114-2115 2116-2117 2118-2119 2120-2121 2122-2123 2124-2125 2126-2127 2128-2129 2130-2131 2132-2133 2134-2135 2136-2137 2138-2139 2140-2141 2142-2143 2144-2145 2146-2147 2148-2149 2150-2151 2152-2153 2154-2155 2156-2157 2158-2159 2160-2161 2162-2163 2164-2165 2166-2167 2168-2169 2170-2171 2172-2173 2174-2175 2176-2177 2178-2179 2180-2181 2182-2183 2184-2185 2186-2187 2188-2189 2190-2191 2192-2193 2194-2195 2196-2197 2198-2199 2200-2201 2202-2203 2204-2205 2206-2207 2208-2209 2210-2211 2212-2213 2214-2215 2216-2217 2218-2219 2220-2221 2222-2223 2224-2225 2226-2227 2228-2229 2230-2231 2232-2233 2234-2235 2236-2237 2238-2239 2240-2241 2242-2243 2244-2245 2246-2247 2248-2249 2250-2251 2252-2253 2254-2255 2256-2257 2258-2259 2260-2261 2262-2263 2264-2265 2266-2267 2268-2269 2270-2271 2272-2273 2274-2275 2276-2277 2278-2279 2280-2281 2282-2283 2284-2285 2286-2287 2288-2289 2290-2291 2292-2293 2294-2295 2296-2297 2298-2299 2300-2301 2302-2303 2304-2305 2306-2307 2308-2309 2310-2311 2312-2313 2314-2315 2316-2317 2318-2319 2320-2321 2322-2323 2324-2325 2326-2327 2328-2329 2330-2331 2332-2333 2334-2335 2336-2337 2338-2339 2340-2341 2342-2343 2344-2345 2346-2347 2348-2349 2350-2351 2352-2353 2354-2355 2356-2357 2358-2359 2360-2361 2362-2363 2364-2365 2366-2367 2368-2369 2370-2371 2372-2373 2374-2375 2376-2377 2378-2379 2380-2381 2382-2383 2384-2385 2386-2387 2388-2389 2390-2391 2392-2393 2394-2395 2396-2397 2398-2399 2400-2401 2402-2403 2404-2405 2406-2407 2408-2409 2410-2411 2412-2413 2414-2415 2416-2417 2418-2419 2420-2421 2422-2423 2424-2425 2426-2427 2428-2429 2430-2431 2432-2433 2434-2435 2436-2437 2438-2439 2440-2441 2442-2443 2444-2445 2446-2447 2448-2449 2450-2451 2452-2453 2454-2455 2456-2457 2458-2459 2460-2461 2462-2463 2464-2465 2466-2467 2468-2469 2470-2471 2472-2473 2474-2475 2476-2477 2478-2479 2480-2481 2482-2483 2484-2485 2486-2487 2488-2489 2490-2491 2492-2493 2494-2495 2496-2497 2498-2499 2500-2501 2502-2503 2504-2505 2506-2507 2508-2509 2510-2511 2512-2513 2514-2515 2516-2517 2518-2519 2520-2521 2522-2523 2524-2525 2526-2527 2528-2529 2530-2531 2532-2533 2534-2535 2536-2537 2538-2539 2540-2541 2542-2543 2544-2545 2546-2547 2548-2549 2550-2551 2552-2553 2554-2555 2556-2557 2558-2559 2560-2561 2562-2563 2564-2565 2566-2567 2568-2569 2570-2571 2572-2573 25	
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09/579,324	25 May 2000	Pending
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Docket No. HMD2000-1-CIPA

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Thomas N. Giaccherini, Registration No. 31,075
Allen H. Sochel, Registration No. 32,494

SEND CORRESPONDENCE TO:

Thomas N. Giaccherini
Anglin & Giaccherini
Post Office Box 1146
Carmel Valley, California 93924

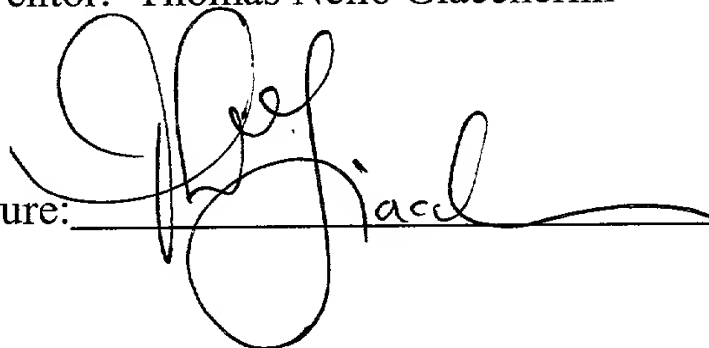
DIRECT TELEPHONE CALLS TO:

Thomas N. Giaccherini
831.659.5300

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any Patent issuing thereon.

Full Name of Inventor: Thomas Nello Giaccherini

Inventor's Signature:



Date: 29 Nov 2001.

Residence: Post Office Box 1146, Carmel Valley, California 93924

Post Office Address: Same

Citizenship: United States

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Full Name of Inventor: James Riley Stuart

Inventor's Signature: _____

Date: 11/19/01

Residence: 1082 West Alder Street, Louisville, Colorado 80027-1046

Post Office Address: Same

Citizenship: United States